

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

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|--|---|---------------------------|
| Orlando Cole, |) | C/A No. 3:15-1923-MBS-PJG |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| Marty Ballard; Premier Constructors, Inc., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

Plaintiff, who is represented by counsel, filed this matter alleging violations of his civil rights by the named defendants. Defendant Premier Constructors, Inc. filed a motion for summary judgment on August 5, 2016, pursuant to the Federal Rules of Civil Procedure. (ECF No. 28.) As of the date of this order, the plaintiff has failed to respond to the motion in accordance with Local Civil Rule 7.06 (D.S.C.). As such, it appears to the court that he does not oppose the motion and wishes to abandon this action.

Based on the foregoing, it is

ORDERED that the plaintiff shall advise the court as to whether he wishes to continue with this case and to file a response to the defendant's motion for summary judgment within seven (7) days from the date of this order. Plaintiff is further advised that if he fails to respond, this action may be decided on the record presented in support of the defendant's motion, see Local Civil Rule 7.06 (D.S.C.), or may be recommended for dismissal with prejudice for failure to prosecute. See Davis v. Williams, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO ORDERED.

September 15, 2016
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE